

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

APRIL CARROLL, as administrator)
of the ESTATE OF KEVIN CARROLL and)
in her own right,)

Plaintiff,)

v.)

2:21cv1298

Electronic Filing

COMPREHENSIVE HEALTHCARE)
MANAGEMENT SERVICES, LLC)
doing business as BRIGHTON)
REHABILITATION AND WELLNESS)
CENTER, **HEALTHCARE SERVICES**)
GROUP, INC., HCSG LABOR SUPPLY,)
LLC, HCSG SUPPLY, INC., HCSG)
STAFF LEASING SOLUTIONS, LLC,)
BRIAN EDWARD MEJIA,)

Defendants.)

MEMORANDUM ORDER

AND NOW, this 18th day of July, 2022, upon due consideration of defendant Comprehensive Healthcare Management Services, LLC's motion to vacate notice of voluntary dismissal and plaintiff's opposition thereto, IT IS ORDERED that [39] the motion be, and the same hereby is, denied.

As aptly noted by plaintiff, she has an unfettered right to effectuate the dismissal challenged by this motion. And because the court has not entered a judgment on any aspect of plaintiff's claims, Rule 60(b) is inapplicable and defendant's invocation of that rule is misplaced.

s/David Stewart Cercone
David Stewart Cercone
Senior United States District Judge

cc: David L. Kwass, Esquire
Elizabeth Bailey, Esquire
Robert J. Mongeluzzi, Esquire
Andrew G. Kimball, Esquire
Erica Kelly Curren, Esquire
Jennifer M. Swistak, Esquire
John M. Campbell, Esquire

(Via CM/ECF Electronic Mail)

Civil Action No. 21-1298
District Judge David S. Cercone
Magistrate Judge Maureen P. Kelly